

CERTIFICATION OF ENROLLMENT

**ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1903**

Chapter 252, Laws of 2026

(partial veto)

69th Legislature  
2026 Regular Session

STATEWIDE LOW-INCOME ENERGY ASSISTANCE PROGRAM

EFFECTIVE DATE: June 11, 2026

Passed by the House March 11, 2026  
Yeas 70 Nays 26

LAURIE JINKINS

**Speaker of the House of  
Representatives**

Passed by the Senate March 6, 2026  
Yeas 35 Nays 13

DENNY HECK

**President of the Senate**

Approved March 30, 2026 3:09 PM with  
the exception of section 4, which is  
vetoed.

BOB FERGUSON

**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1903** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

**Chief Clerk**

FILED

March 31, 2026

**Secretary of State  
State of Washington**

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**ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1903**

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AS AMENDED BY THE SENATE

Passed Legislature - 2026 Regular Session

**State of Washington**

**69th Legislature**

**2026 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Mena, Berry, Doglio, Parshley, Simmons, Santos, Taylor, Scott, Ramel, Farivar, Hill, Pollet, and Duerr)

READ FIRST TIME 02/09/26.

1 AN ACT Relating to establishing a statewide low-income energy  
2 assistance program; amending RCW 19.405.120; adding new sections to  
3 chapter 43.330 RCW; creating new sections; and providing expiration  
4 dates.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that there is an  
7 urgent need for stronger policy and a new program option to secure  
8 universally accessible low-income energy bill assistance and reduce  
9 the \$275,000,000 annual energy burden in Washington. Many income-  
10 eligible households do not have sufficient support. The department of  
11 commerce November 2024 study of options for a statewide energy  
12 assistance program in Washington lays out core features of a just  
13 system to expand and secure access to energy affordability measures.  
14 To address present and widening disparities in household access to  
15 energy assistance will require easier applications, safe data  
16 sharing, low barrier eligibility determinations, systematic processes  
17 for filling in gaps in the reach of existing programs, and guaranteed  
18 funding sources. The recommended program design promotes a more  
19 centralized approach to energy assistance. Key elements include those  
20 that reduce administrative burdens, but also improve the experience  
21 and likelihood that an eligible household receives assistance.

1 (2) It is the intent of the legislature for the department of  
2 commerce to phase in this program across the state, working with the  
3 advisory group created in section 4 of this act to prioritize low-  
4 income households with energy assistance need.

5 (3) This section expires June 30, 2035.

6 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.330  
7 RCW to read as follows:

8 The definitions in this section apply throughout sections 3 and 4  
9 of this act unless the context clearly requires otherwise.

10 (1) "Coadministrator" means a participating utility that has  
11 voluntarily entered into an agreement with the department to perform  
12 any or all administrative tasks associated with implementing the  
13 statewide low-income energy assistance program. The scope of the  
14 administrative duties of a utility choosing to serve as  
15 coadministrator are to be established under the agreement between the  
16 utility and department under section 3(3) of this act.

17 (2) "Community action council" has the same meaning as "community  
18 action agency" in RCW 43.185C.010.

19 (3) "Energy assistance" means monetary assistance, such as a  
20 grant program, affordability benefits, or discounts for low-income  
21 households, that lowers a low-income household's energy burden.

22 (4) "Energy assistance need" means the amount of assistance  
23 necessary to achieve an energy burden equal to six percent for  
24 utility customers.

25 (5) "Energy burden" has the same meaning as in RCW 19.405.020.

26 (6) "Low-income" has the same meaning as in RCW 19.405.020.

27 (7) "Participating utility" means a utility that has  
28 affirmatively elected to participate in the statewide low-income  
29 energy assistance program established in section 3 of this act and  
30 whom the department has accepted to participate subject to available  
31 funds.

32 (8) This section expires June 30, 2035.

33 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.330  
34 RCW to read as follows:

35 (1) The statewide low-income energy assistance program is  
36 established within the department. The purpose of the program is to  
37 reduce energy burden for low-income households in Washington. The  
38 statewide low-income energy assistance program is supplemental to

1 low-income energy assistance provided by utilities under RCW  
2 19.405.120 and 80.28.068. Participating utilities may not supplant  
3 funding from this program to meet the requirements of RCW 19.405.120  
4 and 80.28.068. The department must begin providing energy assistance  
5 no later than 14 months after funding is appropriated. The  
6 department, in consultation with the utilities and transportation  
7 commission, must write rules to implement this section. Nothing in  
8 this section alters existing regulatory jurisdiction over consumer-  
9 owned utilities.

10 (2) In accordance with subsection (4) of this section, the  
11 department must establish details for low-income customers to enroll  
12 in the statewide low-income energy assistance program via rule  
13 making. This rule making must consider:

14 (a) Low-income households' eligibility;

15 (b) Application processes for in-person, online, and over-the-  
16 phone enrollment;

17 (c) Partnership with utilities from which low-income households  
18 receive service and the utility has voluntarily chosen to serve as  
19 coadministrator of the program;

20 (d) Partnership with community action councils and other  
21 community providers of low-income social services;

22 (e) Allowance for self-attestation;

23 (f) That the department may verify that applicants and  
24 participants meet the income qualifications, and may work with  
25 utilities and community action councils to conduct this verification;

26 (g) That there is no risk to eligibility based on immigration  
27 status; and

28 (h) Auto enrollment of known eligible households.

29 (3) The department may enter into agreements with participating  
30 utilities to serve as coadministrators of the statewide low-income  
31 energy assistance program for the purposes of enhancing customer  
32 engagement, facilitating enrollment of eligible customers, and  
33 sharing administrative duties with the department. Serving as a  
34 coadministrator is voluntary for participating utilities.

35 (4) Subject to appropriation, the department, in consultation  
36 with the advisory group created in section 4 of this act, must phase  
37 in the statewide low-income energy assistance program across  
38 participating utilities, prioritizing low-income households in energy  
39 assistance need.

1 (5) (a) The department must, in consultation with the utilities  
2 and transportation commission as it applies to investor-owned  
3 utilities, administer the statewide low-income energy assistance  
4 program by providing funds to participating utilities. The  
5 participating utilities must pass these funds on to their low-income  
6 residential customers and show the energy assistance on the  
7 customers' monthly bills.

8 (b) Following standard contractual procedures, a participating  
9 utility may seek reimbursement from the department equal to the  
10 energy assistance provided.

11 (c) The discount or dollar amount that the department provides to  
12 low-income households must be tiered to provide the most energy  
13 assistance to the households with the greatest need.

14 (d) The department and each participating utility's obligation to  
15 provide energy assistance under the statewide low-income energy  
16 assistance program is based on available funding appropriated for  
17 this specific purpose. Participating utilities may not be required to  
18 provide assistance to low-income customers under the statewide low-  
19 income energy assistance program beyond funding appropriated for this  
20 purpose. This program may not be funded through a utility surcharge  
21 or collection of any funding from utilities. It is the intent of the  
22 legislature that sustained funding shall be provided to meet low-  
23 income household needs from climate commitment act auction revenues  
24 or other dollars.

25 (6) A participating utility may not reduce the level of low-  
26 income energy assistance it provides as a result of participation in  
27 the statewide low-income energy assistance program.

28 (7) This section expires June 30, 2035.

29 **\*NEW SECTION. Sec. 4. A new section is added to chapter 43.330**  
30 **RCW to read as follows:**

31 **(1) The department, in consultation with the utilities and**  
32 **transportation commission, must establish an advisory group for the**  
33 **statewide low-income energy assistance program, which must include,**  
34 **but is not limited to, members from low-income households, and at**  
35 **least one member each from a community organization, community action**  
36 **council, investor-owned utility, municipal utility, public utility**  
37 **district, electric cooperative, and natural gas utility. The advisory**  
38 **group must be composed of a diverse group of stakeholders and must be**  
39 **established by the department before program implementation to help**

1 **inform program development and design. The advisory group must advise**  
2 **the department throughout program implementation.**

3 **(2) This section expires June 30, 2035.**

**\*Sec. 4 was vetoed. See message at end of chapter.**

4 **Sec. 5.** RCW 19.405.120 and 2019 c 288 s 12 are each amended to  
5 read as follows:

6 (1) It is the intent of the legislature to demonstrate progress  
7 toward ~~((making energy assistance funds available to low-income~~  
8 ~~households)) addressing the disproportionate impacts of home energy  
9 bills on low-income households and reduce energy assistance need  
10 consistent with the policies identified in this section.~~

11 (2)(a) An electric utility must ~~((make programs and funding~~  
12 ~~available for energy assistance to low-income households by July 31,~~  
13 ~~2021)) ensure that each low-income household has access to an energy  
14 assistance program.~~

15 (b)(i) An electric utility must ensure that the cumulative annual  
16 level of low-income energy assistance that it provides to its  
17 customers is not reduced as a result of participation in the  
18 statewide low-income energy assistance program established under  
19 section 3 of this act.

20 (ii) The cumulative assistance may not include a responsibility  
21 for nonutility sources of funds.

22 (c) For the purposes of this subsection, "energy assistance" has  
23 the same meaning as defined in section 2 of this act.

24 (3) Each utility must demonstrate progress in providing energy  
25 assistance pursuant to the assessment and plans in subsection ~~((4))~~  
26 (5) of this section. To the extent practicable, priority must be  
27 given to low-income households with a higher energy burden.

28 ~~((3))~~ (4) Beginning July 31, 2020, the department must collect  
29 and aggregate data estimating the energy burden and energy assistance  
30 need and reported energy assistance for each electric utility, in  
31 order to improve agency and utility efforts to serve low-income  
32 households with energy assistance. The department must update the  
33 aggregated data on a biennial basis, make it publicly accessible on  
34 its internet website and, to the extent practicable, include  
35 geographic attributes.

36 (a) The aggregated data published by the department must include,  
37 but is not limited to:

1 (i) The estimated number and demographic characteristics of  
2 households served by energy assistance for each utility and the  
3 dollar value of the assistance;

4 (ii) The estimated level of energy burden and energy assistance  
5 need among customers served, accounting for household income and  
6 other drivers of energy burden;

7 (iii) Housing characteristics including housing type, home  
8 vintage, and fuel types; and

9 (iv) Energy efficiency potential.

10 (b) Each utility must disclose information to the department for  
11 use under this subsection, including:

12 (i) The amount and type of energy assistance and the number and  
13 type of households, if applicable, served for programs administered  
14 by the utility;

15 (ii) The amount of money passed through to third parties that  
16 administer energy assistance programs; ~~((and))~~

17 (iii) The amount of money used to mitigate rate impacts to low-  
18 income customers and a description of any other benefits provided to  
19 ratepayers from the sale of allowances as required under RCW  
20 70A.65.120(4), if applicable; and

21 (iv) Subject to availability, any other information related to  
22 the utility's low-income assistance programs that is requested by the  
23 department.

24 (c) The information required by (b) of this subsection must be  
25 from the electric utility's most recent completed budget period and  
26 in a form, timeline, and manner as prescribed by the department.

27 ~~((4))~~ (5)(a) In addition to the requirements under subsection  
28 ~~((3))~~ (4) of this section, each electric utility must submit  
29 biennially to the department ~~((an assessment))~~ a description of:

30 (i) The programs and mechanisms used by the utility to reduce  
31 energy burden ~~((and the effectiveness of those programs and~~  
32 ~~mechanisms in both short-term and sustained energy burden~~  
33 ~~reductions))~~;

34 (ii) The outreach strategies used to encourage participation of  
35 eligible households, including consultation with community-based  
36 organizations and Indian tribes as appropriate, and comprehensive  
37 enrollment campaigns that are linguistically and culturally  
38 appropriate to the customers they serve in vulnerable populations;  
39 and

1 (iii) A cumulative assessment of (~~previous funding levels for~~  
2 ~~energy assistance compared to the funding levels needed to meet: (A)~~  
3 ~~Sixty percent of the current energy assistance need, or increasing~~  
4 ~~energy assistance by fifteen percent over the amount provided in~~  
5 ~~2018, whichever is greater, by 2030; and (B) ninety percent of the~~  
6 ~~current energy assistance need by 2050~~) program participation rates  
7 and funding levels compared to what is needed to meet energy  
8 assistance need.

9 (b) (~~The assessment~~) For electric utilities with more than  
10 25,000 retail customers, the description required in (a) of this  
11 subsection must include a plan to improve the effectiveness of the  
12 (~~assessed~~) mechanisms and strategies toward meeting the energy  
13 assistance need.

14 (~~(5)~~) (6) A consumer-owned utility may enter into an agreement  
15 with a public university, community-based organization, or joint  
16 operating agency organized under chapter 43.52 RCW to aggregate the  
17 disclosures required in this section and submit the assessment  
18 required in (~~subsections (3)~~) subsection (4) of this section and  
19 (~~(4)~~) the description in subsection (5) of this section.

20 (~~(6)~~) (7)(a) The department must submit a biennial report to  
21 the legislature that:

22 (i) Aggregates information into a statewide summary of energy  
23 assistance programs, energy burden, and energy assistance need;

24 (ii) Identifies and quantifies current expenditures on low-income  
25 energy assistance; and

26 (iii) Evaluates the effectiveness of additional (~~optimal~~)  
27 mechanisms for energy assistance including, but not limited to,  
28 customer rates, a low-income specific discount, system benefits  
29 charges, and public and private funds.

30 (b) The department must also assess mechanisms to prioritize  
31 energy assistance towards low-income households with a higher energy  
32 burden.

33 (~~(7)~~) (8) Nothing in this section may be construed to restrict  
34 the rate-making authority of the commission or the governing body of  
35 a consumer-owned utility as otherwise provided by law.

36 NEW SECTION. **Sec. 6.** This act is not severable, and if any  
37 provision of this act is held invalid, this entire act is null and  
38 void.

1        NEW SECTION.    **Sec. 7.**    Section 5 of this act expires June 30,  
2    2035.

Passed by the House March 11, 2026.

Passed by the Senate March 6, 2026.

Approved by the Governor March 30, 2026, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State March 31, 2026.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to Section 4, Engrossed Second Substitute House Bill No. 1903 entitled:

"AN ACT Relating to establishing a statewide low-income energy assistance program."

This bill establishes a statewide low-income energy assistance program in the Department of Commerce. I support efforts to improve affordability for Washingtonians. In my budget, I proposed additional funding for an existing energy assistance program, and the Legislature approved \$30 million additional funding for that program.

HB 1903 states that the low-income energy assistance program won't start until the Legislature provides funding for it, except for Section 4. Section 4 would start immediately despite the lack of funding provided to the agency. Specifically, Section 4 directs the Department of Commerce to establish an advisory group that will inform the energy assistance program. While I support the role of the advisory group, given the lack of funding, I am vetoing Section 4 of House Bill No. 1903.

When directing agencies to accomplish work associated with bills, the Legislature must include adequate funding to do so. The Department of Commerce, like other state agencies, is operating with limited resources due to budget reductions taken in both the biennial and the supplemental budgets. Commerce's budget has been reduced by approximately 10 percent. They cannot absorb this unfunded work within their budget.

Furthermore, the work of the advisory group is not needed until the program itself receives funding from the Legislature.

For these reasons I am vetoing Section 4 of Engrossed Second Substitute House Bill No. 1903.

With the exception of Section 4, Engrossed Second Substitute House Bill No. 1903 is approved."

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